

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 11-0485 AG (AJWx)	Date	October 3, 2011
Title	LISA LIBERI, et al. v. ORLY TAITZ, et al.		

Present: The Honorable	ANDREW J. GUILFORD
Lisa Bredahl	Not Present
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:

Proceedings: **[IN CHAMBERS] ORDER STAYING CASE AS TO LAW OFFICES OF ORLY TAITZ, AND DENYING LAW OFFICES OF ORLY TAITZ'S MOTION TO DISMISS**

On July 8, 2011, a Motion to Stay this case pending appeal of the anti-SLAPP Motion was filed in this Court. (Dkt. No. 278.) On the first page, the Motion informs the Court that the parties who are moving for the stay are “Defendants Orly Taitz (‘Taitz’), ‘Defend our Freedoms Foundation,’ Orly Taitz Inc. and Law offices of Orly Taitz [sic].” (*Id.*, at 1.) (collectively, the “Taitz Defendants”). The caption page indicates that the entity Orly Taitz is also known as the Law Offices of Orly Taitz. (*Id.*)

On July 22, 2011, a Corrected Motion to Stay (“Motion to Stay”) was filed with this Court. (Dkt. No. 310.) This Motion was brought by the same four Taitz Defendants who brought the original Motion to Stay. (*Id.*, 1) (“COMES NOW, Defendants, Orly Taitz, Defend our Freedoms Foundation, Orly Taitz, Inc., and Law Offices of Orly Taitz . . . ”).

On August 19, 2011, this Court issued an Order Granting Motion to Stay Pending Anti-SLAPP Appeal (“Order”). (Dkt. No. 357.) The Court originally granted the stay only as to Defendants Defending Our Freedoms Foundation, Orly Taitz, Inc., and Orly Taitz, finding that the Law Offices of Orly Taitz did not appeal the order denying the anti-

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SLAPP Motion and thus could not seek a stay.

The filings have obviously confused this litigation. Further, it is improper to allow some Taiz entities to litigate while others are protected by a stay. This Court finds that it serves the “just, speedy, and inexpensive determination” of this case to impose a stay as to all Taitz Defendants, rather than litigating this case piecemeal. F.R.C.P. 1. This is consistent with the original intent of the Law Offices of Orly Taitz, as expressed in its moving papers, to seek a stay along with the other Taitz Defendants. (See Dkt. Nos. 278, 310.)

Thus, the Court AMENDS its August 19, 2011 Order and STAYS this case as to all claims against Defendants Orly Taitz, Inc., Orly Taitz, the Law Offices of Orly Taitz, and Defending Our Freedom Foundation. The Court ORDERS all of these Defendants to notify the Court within 10 days of a final ruling by the Ninth Circuit regarding the appeal of the Court’s denial of the Anti-SLAPP Motion.

If the Taitz Defendants do not wish to have this current case stayed as to them, they have the option to request that there be no stay at all in this case pending resolution of the anti-SLAPP appeal.

The Court now turns to the Motion and Amended Motion to Dismiss filed by Defendant Law Offices of Orly Taitz on September 14 and 16, 2011. (Dkt. Nos. 376, 377.) Since a purpose of staying litigation pending an Anti-SLAPP appeal is to conserve the resources of a defendant from the expense of unnecessary litigation, it would be antithetical to rule on the Motion to Dismiss now. For any claims not affected directly by the Anti-SLAPP Motion, the Court invokes its inherent power to manage its docket in order to keep these proceedings as orderly as possible. The Court thus DENIES OTI’s Motion to Dismiss without prejudice and vacates the October 17, 2011 hearing as MOOT.

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DISPOSITION

The Court GRANTS the Motion to Stay as to Law Offices of Orly Taitz. The Court ORDERS the Law Offices of Orly Taitz to notify the Court within 10 days of a final ruling by the Ninth Circuit regarding the appeal of the Court's denial of the Anti-SLAPP Motion.

The Court DENIES Defendant Law Offices of Orly Taitz's Motion to Dismiss without prejudice and vacates the October 17, 2011 hearing as MOOT.

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Initials of _____
Preparer _____
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